

REMARKS

The Applicant has received and reviewed the Office Action dated November 14, 2007 wherein the Office rejected claims 1-6 and 8-12 under 35 U.S.C. 112, first paragraph; rejected Applicant's claim 30 under 35 U.S.C. 102(b) as being anticipated by the reference of Lizama et al (US Patent No. 5,458,752); rejected Applicant's claims 1, 2, 4, and 5 under 35 U.S.C. 103(a) as being unpatentable over the combination of the references of Lizama et al and Mrachko (US Patent No. 5,968,812); and rejected Applicant's claims 8-12 and 32 under 35 U.S.C. 103(a) as being unpatentable over the combination of the references of Lizama et al., Mrachko, and Bayley et al (British Patent 1,443,704). The Office however allowed claims 13, 14, 16, 17, 19, 20, 22-29, 33, and 24 and indicated that Applicant's claims 3 and 6 each contains allowable subject matter.

Examiner's interview of December 10, 2007

Applicant's attorney, Thomas N. Phung, thank Examiner Drodge for the courtesy and time in granting the telephone interview on December 10, 2007 to discuss the claims and the cited art. During the interview, it was agreed upon that the Applicant's amendment of claim 1 to replace recitation of the phrase "acid catalyzed liquid" with the phrase "acid liquid selected from the group consisting of: trimethylsulfonic acid, hydrochloric acid, and sulfuric acid," and the Applicant's amendment of claim 30 to replace recitation of the phrase "specific gravity difference ... as low as 0.01" with the phrase "... of about 0.01" would both clearly distinguish amended claims 1 and 30 over all of the prior art of record and mitigate the Office's rejections under 35 U.S.C. 112, first paragraph. It was further agreed upon that the proposed amendment to claim 1 is supported on page 8, lines 1-5 of the Applicant's

specification and the proposed amendment to claim 30 is supported on the paragraphs bridging pages 11 and 12 of the Applicant's specification.

Rejection under 35 U.S.C. 112, first paragraph

Applicant's claims 1-6 and 8-12 stand rejected under 35 U.S.C. 112, first paragraph, because the terminology "acid catalyzed" constitutes New Matter. In response to the Office's aforementioned rejection, the Applicant has amended claims 1-2, 4-6 and 8-12 to remove the terminology "acid catalyzed" from the claims. It is for the aforementioned that the Applicant respectfully request that the Office's rejection of Applicant's claims 1-2, 4-6 and 8-12 under 35 U.S.C. 112, first paragraph, be withdrawn.

Rejection under 35 U.S.C. 102(b)

Applicant's claim 30 stands rejected under 35 U.S.C. 102(b) as being anticipated by the reference of Lizama et al (US Patent No. 5,458,752). In response to the Office's rejection of Applicant's claim 30 under 35 U.S.C. 102(b) as being anticipated by the reference of Lizama et al., the Applicant has canceled claim 30 from the present application.

Rejection under 35 U.S.C. 103(a)

Applicant's claims 1, 2, 4, and 5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of the references of Lizama et al and Mrachko (US Patent No. 5,968,812). Applicant's claims 8-12 and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of the references of Lizama et al., Mrachko, and Bayley et

al (British Patent 1,443,704). On page 9, lines 1-3 of the Office Action dated November 14, 2007, the Office stated that:

“Claims 3 and 6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitation of the base claim and any intervening claims.”

In response to the Office’s above rejection and per the Office’s above comments, the Applicant has canceled dependent claim 3 and amended independent claim 1 to include the subject matter of dependent claim 3. Applicant’s claim 1, as amended, now calls for a process for the extraction of an unwanted liquid from a fluid that includes the step of:

“introducing an immiscible extraction liquid into a **silicone** fluid having an unwanted liquid therein by mixing, pressurizing, or agitating to form a physical emulsion to form a plurality of extraction liquid droplets under 10 micron in diameter suspended in the fluid;...” (Emphasis added.)

The Applicant has also amended dependent claim 6 to include all of the limitation of the base claim 1.

In response to the Applicant’s above amendments and per the Office’s statement on page 9, lines 1-3 of the Office Action dated November 14, 2007, the Applicant respectfully submits that Applicant’s claims 1, 2, 4-6, and 8-12, as amended, are now in allowable form.

In regards to Applicant’s dependent claim 32, the Applicant has canceled dependent claim 32 from the present application.

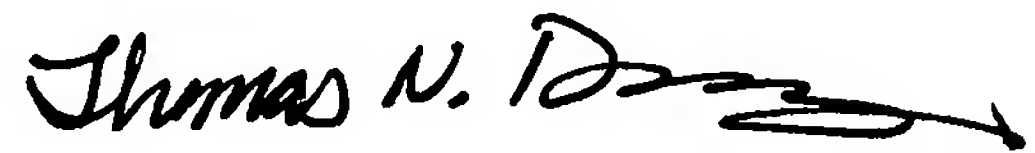
In further regards to Applicant's claims 2, 4-5, 8-12, Applicant's dependent claims 2, 4-5, 8-12 each depends on Applicant's independent claim 1. Since Applicant's independent claim 1, as amended, is allowable for the reasons given above, Applicant's dependent claims 2, 4-5, 8, 9-12 should also be allowable. In view of the above, it is submitted that the application is in condition for allowance. Allowance of the application containing claims 1, 2, 4-6, 8-14, 16, 17, 19-20, 22-29, and 33-34, as amended, is respectfully requested. Applicant has enclosed a version of the amendment showing changes made with this response.

A response to the Office Action for the present case was due on February 14, 2008. The Applicant hereby petitions for a two-month time extension up to and including the date of April 14, 2008 to file the response. The Applicant has enclosed a petition form PTO/SB/22 form and a credit card authorization form in the amount of \$460.00 for payment of the time extension fee. Please charge any additional fees that may be due to Deposit Account 10-0210.

Respectfully submitted,

JACOBSON AND JOHNSON

By



Thomas N. Phung, Reg. No. 53,466
Attorneys for Applicant
Suite 285
One West Water Street
St. Paul, Minnesota 55107-2080
Telephone: 651- 222-3775
Fax: 651-222-3776

TNP/tp
Enclosure